IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

REV. WPMP NO. 34589 OF 2005

AND

WRIT PETITION NO :5375 of 2002

DATED: 23-02-2006

Between:

N.Rajanna PETITIONER

AND

The Vice Chancellor,

Osmania University, Hyderabad and others Respondents

THE HON'BLE MR JUSTICE N.V. RAMANA

REV. WPMP NO. 34589 OF 2005

AND

WRIT PETITION NO :5375 of 2002

ORAL ORDER:

This writ petition was dismissed as infructuous by order dated 15.06.2005. Now the present petition is filed stating that 15.06.2005, counsel appearing for

petitioner was not well and missed to note down the matter and the cause in the writ petition survives and prayed to review the order dated 15.06.2005. In the circumstances, the order dated 15.06.2005 dismissing the writ petition as infructuous is hereby set aside and the Review W.P.M.P. is ordered.

The facts, necessary for disposal of the writ petition are as under:

The petitioner claims that he had passed Pre- Ph.D examination and admitted into Ph.D course in the 1994 batch vide orders dated 23.9.1995. As per the letter issued by the third respondent, the maximum duration for completion of Ph.D course is 5 years from the date of passing of Pre-Ph.D examination. On 26.9.2001, the petitioner approached the third respondent requesting to grant permission to submit the Thesis and he was informed that his admission was cancelled in the month of December, 2000. The petitioner alleges that similarly situated candidates who were registered along with him in the year 1994 were permitted to submit their Thesis in the months of August and September, 2001 and his application dated 25.9.2001 was rejected and he was discriminated. Hence, the present writ petition.

The second respondent filed a counter affidavit *inter-alia* stating that petitioner has not filed any documentary evidence indicating that his Thesis was rejected and his admission was cancelled. It is further stated that the Standing Committee of the Academic Senate is competent authority to take decision on the request of the candidates for submission of Ph.D thesis, after the stipulated time on the merits of each case and as per the recommendations of the Research Supervisor of the Departmental Research Committee and the Dean of the Faculty concerned. It is also stated that the petitioner can approach the University requesting to accord permission to submit the thesis after complying with the formalities. It is thus contended that without exhausting the available remedy, the petitioner has rushed to this Court and the writ petition is premature and liable to be dismissed.

Learned Standing Counsel for respondent University submitted that petitioner is at

liberty to submit his thesis together with an application and recommendations of the Supervisor, Departmental Research Committee and the Dean justifying the delay and on filing such an application in prescribed form, the University will forward the same to the Standing Committee of the Academic Senate for taking appropriate decision. Learned counsel for petitioner agreed for the same.

Having heard the learned counsel for either side and in view of the agreed stand taken by them, I deem it appropriate to dispose of the writ petition with the following direction;

The petitioner herein is directed to submit an application in a prescribed form i.e., Thesis along with recommendations of the Supervisor, Departmental Research Committee and the Dean justifying the delay, within two weeks from the date of receipt of copy of this order. On receipt of the said application, the second respondent is directed to scrutinise it and if the same is otherwise in order, forward the same to Standing Committee of the Academic Senate for taking appropriate decision in the matter, in accordance with law.

Subject to above direction, the writ petition is disposed of.
No costs.

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N.V.RAMANA,J

23-02-2006

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